

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TIOGA SECURITY, LLC,

Plaintiff,

vs.

Case No. 08-CV-14341
HON. GEORGE CARAM STEEH

NATIONAL WHOLESALE LIQUIDATORS,

Defendant.

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ORDER DISMISSING SEPTEMBER 16, 2008 SHOW CAUSE ORDER (#3)

Plaintiff Tioga Security, LLC was ordered on September 16, 2008 to show cause by October 31, 2008 why this matter should not be dismissed for lack of federal diversity jurisdiction under in the absence of allegations sufficient to support a finding of complete diversity, 28 U.S.C. § 1332 ; Owen Equipment and Erection Co. v. Kroger, 437 U.S. 365, 373 (1978), that is: (1) the citizenship of the members of limited liability company Tioga; and (2) the state of incorporation and principal place of business of defendant National Wholesale Liquidators (NWL). Tioga filed a timely response on October 31, 2008 representing that Tioga's only member, Luke Zerefos, is a citizen of Michigan, while defendant NWL is a New York corporation with its principal place of business in New York. Tioga has timely demonstrated the existence of complete diversity. See Delphi Automotive Systems, 519 F.Supp.2d at 665; 28 U.S.C. § 1332(c)(1). Accordingly,

The court's September 26, 2008 Order requiring plaintiff Tioga to show cause is hereby DISMISSED.

SO ORDERED.

Dated: November 3, 2008

s/George Caram Steeh

GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
November 3, 2008, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk